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VIA ECF

Hon. Jennifer L. Rochon
Daniel Patrick Moynihan
United States Courthouse
500 Pearl Street
New York, New York 10007

Re: Thomas et al. v. Banks, et al., 24-cv-5138 (JLR)

Dear Judge Rochon:

I am an Assistant Corporation Counsel in the Office of Corporation Counsel, attorney for Defendants New York City Department of Education (“DOE”) and David C. Banks, in his individual capacity and as chancellor of the DOE (collectively, “Defendants”) in the above-referenced action.

I write to correct a minor, inadvertent misstatement in Defendants’ memorandum of law in opposition to Plaintiffs’ motion for preliminary injunction in the instant matter (ECF No. 18). In that filing, Defendants state that “IEP team” is not defined in 20 U.S.C. § 1415 or in 34 C.F.R. § 300.510. *See* ECF No. 18 at 5. While that is accurate, “IEP team” is defined in 20 U.S.C. § 1414(d)(1)(B). Further, 20 U.S.C. § 1414(d)(1)(C) provides for instances in which members of that team may not be required to attend each meeting of the IEP team.

Defendants’ statement that “CSE” and “IEP Team” are used interchangeably in New York is accurate, but Defendants apologize for their oversight in failing to alert the Court to the appropriate definition for those terms in their recently submitted papers.

Thank you for considering this submission.

Respectfully submitted,

/s/ Thomas Lindeman

Thomas Lindeman, Esq.
Assistant Corporation Counsel

cc: All counsel of record (via ECF)